

### **REMARKS**

Favorable reconsideration of this application in light of the following discussion is respectfully requested.

In the present Application, Claims 1-3 and 7-14 are active. Claim 5 has been cancelled by a previous amendment. The present Amendment amends independent Claim 1 and adds new Claim 14 without introducing any new matter; and cancels Claims 4 and 6 without prejudice or disclaimer.

The December 9, 2010 final Office Action rejected Claims 1-2, 6, and 11 under 35 U.S.C. § 103(a) as unpatentable over Mitzutani (U.S. Pat. No. 7,003,791) in view of Christopoulos et al. (U.S. Pat. Appl. Pub. No. 2001/0047517, hereinafter "Christopoulos"). Claim 4 was rejected under 35 U.S.C. § 103(a) as unpatentable over Mitzutani in view of Christopoulos, in further view of Perlman (U.S. Pat. App. Pub. No. 2002/0184637) and Solomon (U.S. Pat. App. Pub. No. 2003/0070174). Claims 7-8 and 10 were rejected under 35 U.S.C. § 103(a) as unpatentable over Mitzutani in view of Christopoulos, in further view of Fingerman et al. (U.S. Pat. No. 7,143,430, hereinafter "Fingerman"). Claim 9 was rejected under 35 U.S.C. § 103(a) as unpatentable over Mitzutani in view of Christopoulos, in further view of Ellis et al. (U.S. Pat. App. Pub. No. 2003/0149988, hereinafter "Ellis"). Claim 13 was rejected under 35 U.S.C. § 103(a) as unpatentable over Mitzutani in view of Christopoulos, in further view of Mensch (U.S. Pat. App. Pub. No. 2002/0133824).

Applicants' independent Claim 1 is amended to recite features related to the recording instructions that include information of an electronic programming guide (EPG) that identifies a program of the television signals, and to recite that the recording instructions also include digital rights management information that includes access rights for the corresponding program. These features find non-limiting support in Applicants' disclosure as originally filed, for example in the specification at page 8, lines 23-24, and at page 11, lines

5-12. No new matter has been added. Moreover, Claim 1 is also amended to delete some features that are conflicting with the new features. In addition, because similar features were previously recited in dependent Claims 4 and 6, these claims are cancelled without prejudice or disclaimer.

Moreover, some features related to the quality parameters are deleted from independent Claim 1, and are now presented in new dependent Claim 14.

In response to the rejection of Claim 1 under 35 U.S.C. § 103(a), Applicants respectfully request reconsideration of this rejection and traverse the rejection, as discussed next.

Briefly summarizing, Applicants' independent Claim 1 is directed to a system for recording and playback of television signals from a plurality of television channels. The system includes, *inter alia* a controlling central unit, connectible to a telecommunication network, a plurality of television receivers, each connected to the controlling central unit and configured to receive television signals on one of the television channels, a plurality of coding modules, connected to the television receivers, configured to code the received television signals into a digital format, an instruction unit connected to the controlling central unit, configured to receive and store recording instructions from users via the telecommunication network, the recording instructions including a user identification of a mobile terminal, electronic programming guide information identifying a program to be recorded from the television signals, *digital rights management information that includes access rights for the program*, and quality parameters, and configured to instruct the controlling central unit to select and store the television signal in the digital format on a storage unit corresponding to the program identified by the electronic programming guide information of the recording instructions and based the quality parameters, and configured to assign the user identification to the selected television signals and to store the user

identification together with the television signals on the storage unit.

Moreover, the system includes a playback module configured to generate access right keys based on the digital rights management information, and to transmit the television signals stored in the digital format on the storage unit in a format that depends upon the quality parameters and the access right keys via the telecommunication network for playback to a display terminal associated to the user, the display terminal being identified by a network address that is linked to the user identification assigned to the respective stored television signals of the storage unit.

The pending Office Action rejected Applicants' dependent Claim 4 that included features related to access rights and cryptographic keys based on a combination of the references Mitzutani, Christopoulos, Perlman, and Solomon. (See Office Action, p. 6, l. 14, to p. 7, l. 22.) By forming this rejection, the Office Action also contended that these four references can be properly combined. (See e.g., Office Action, p. 7, ll. 9-15.) However, Applicants' independent Claim 1 now requires features related to digital rights management information and electronic programming guide information that are not taught by any of the above reference, even if we assume that these references can be combined. In particular, Applicants' independent Claim 1 now requires:

the recording instructions including a user identification of a mobile terminal, electronic programming guide information identifying a program to be recorded of the television signals, ***digital rights management information that includes access rights for the program*** . . . to instruct the controlling central unit to select and store the television signals in the digital format on the storage unit corresponding to the program identified by the electronic programming guide information

a playback module configured to ***generate access right keys based on the digital rights management information***, and to transmit the television signals stored in the digital format on the storage unit in a format that depends upon the quality parameters and the access right keys

(Claim 1, portions omitted, emphasis added.) The Office Action stated that the references Mitzutani and Christopoulos do not teach anything related to encryption of television signals and the generation of access rights. (See Office Action, from p. 6, l. 17, to p. 7, l. 5.)

With respect to the reference Perlman, this patent describes a method for efficiently transmitting multimedia streams to several receivers, where the packet size of the data transmitting depends on certain performance characteristics. (Perlman, Abstract, Fig. 5.) Perlman also describes a conditional access mechanism located at a set-top box 120 for preventing unauthorized users to view content, by the use of a conditional access module 1010 that can decrypt the incoming data stream 1030 with decryption keys 1025 that are received from a secure micro unit 1020. (Perlman, col. 8, ll. 46-53, Fig. 10.) At a head-end equipment side 100, modules 103 and 105 may encrypt the multimedia data. (Perlman, col. 1, ll. 31-39.) Moreover, Perlman describes the periodical distribution of decryption keys. (Perlman, col. 8, ll. 52-67, Fig. 10.) However, Perlman fails to teach that the recording instructions include digital rights management information that includes access rights for the program to instruct the controlling central unit to select and store the television signals in the digital format, as required by Applicants' independent Claim 1. In Perlman, no recording instructions with digital rights management information are sent to the head-end equipment 100.

The reference Solomon fails to remedy the deficiencies of Perlman, even if we assume that these references can be combined. Solomon is directed to a wireless on-demand video system where a user has a set-top box. (Solomon, ¶ [0020], Abstract.) Solomon explains that a user can call an 800 number to provide identification information for his set-top box (STB ID), his phone number, and credit card information. (Solomon, ¶¶ [0057]-[0060]). Moreover, in response, the system will generate an activation code including a time, date, STB ID information, movie selected, city code, etc. and would charge the credit card

with a fee. (Solomon, ¶¶ [0065]-[0067]). However, Solomon fails to teach that the recording instructions include digital rights management information that includes access rights for the program to instruct the controlling central unit to select and store the television signals in the digital format, as required by independent Claim 1. In Solomon, the user merely communicates his credit card information, but does *not* send any digital rights management information to the central computer system 110. ((Solomon, ¶ [0101], Fig. 2.)

Therefore, even if the combination of Mitzutani, Cristopoulos, Perlman and/or Solomon is assumed to be proper, the cited passages of the combination fails to teach every element of Applicants' Claim 1. Accordingly, Applicants respectfully traverse, and request reconsideration of this rejection based on these references.

Consequently, in view of the present Amendment, no further issues are believed to be outstanding in the present application, and the present application is believed to be in condition for formal Allowance. A Notice of Allowance for Claims 1-3 and 7-14 is earnestly solicited.

Should the Examiner deem that any further action is necessary to place this application in even better form for allowance, the Examiner is encouraged to contact Applicants' undersigned representative at the below listed telephone number.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, L.L.P.



---

James J. Kulbaski  
Attorney of Record  
Registration No. 34,648

Customer Number  
**22850**

Tel: (703) 413-3000  
Fax: (703) 413 -2220  
(OSMMN 07/09)

Nikolaus P. Schibli, Ph.D.  
Registration No. 56,994